

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:11-cr-00336-MOC

**UNITED STATES OF AMERICA,**

Vs. ) ORDER  
 )  
**ANTONIO MOSLEY,** )  
 )  
Defendant. )

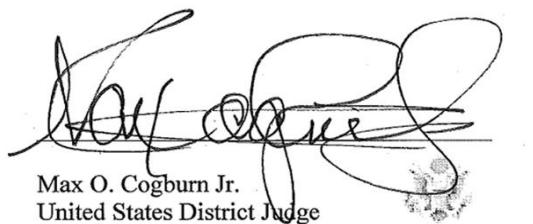
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**THIS MATTER** is before the court on defendant's Motion to Return Seized Property Pursuant to Rule 41(g). Within the time provided, the government has responded and has provided the court with a reasonable plan for the return of defendant's cell phone. Further, the court has reviewed the PSR and determined that defendant has close family members in North Carolina who may well be able to take custody of his cell phone. Having considered defendant's motion and reviewed the pleadings, the court enters the following Order.

**ORDER**

**IT IS, THEREFORE, ORDERED** that defendant's Motion to Return Seized Property Pursuant to Rule 41(g) (#92) is GRANTED, and defendant, within 30 days, shall designate in a "Notice of Name of Designee" filed herein the name and telephone number of an adult person authorized to take custody of the cell phone on defendant's behalf. Defendant shall direct such person to contact CMPD Property Custodian Jeffrey Redfern at (704) 336-8967 within thirty days of such filing to arrange taking custody of defendant's cell phone at CMPD. If defendant fails to make such designation or the designee fails to pick up the phone within the time allowed, ATF and/or CMPD is authorized to treat the cell phone as abandoned property.

Signed: 5/9/2014



Max O. Cogburn Jr.  
United States District Judge